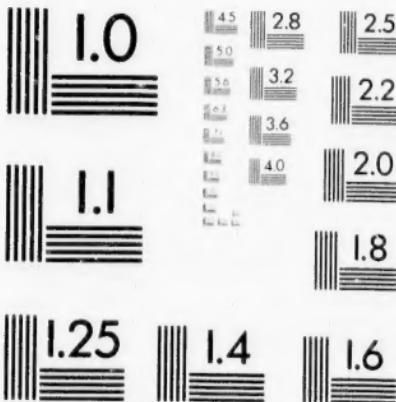


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Robert Fisher ⁷⁰
A COMPILATION
OF THE
Administration of Criminal Justice,
Ontario

Several Tariffs Orders in Council, and Regulations relating to the
Expenditure in the

Administration of Criminal Justice,

Distinguishing those Fees which are

PAYABLE BY THE GOVERNMENT,

From those which are

PAYABLE BY THE COUNTY.

COMPILED BY HENRY TOTTEN,

Auditor of Criminal Justice Accounts, Treasury Department, Toronto.

TORONTO.

PRESBYTERIAN PRINTING AND PUBLISHING COMPANY, 102 BAY STREET.

1874.

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PREFACE.

Under the Act 7 W. IV. Cap. 18, entitled "An Act to regulate the expenditure of district funds within the Province." The expenditure of the district funds rested with the Justices in Quarter Sessions. This Act is now Cap. 121 of the C. S. U. C. The first section enacts that all accounts or demands shall be handed in to the Clerks of the Peace on or before the first day of each Session. The second section enacts that the accounts shall be taken up on the second day of each Session, but shall not be passed or audited unless there be at least seven Magistrates present. The third section, now section 4 in Cap. 121 in C. S. U. C., directs that the Clerk of the Peace shall furnish the Treasurer with a list of the orders or cheques passed in each Session according to the priority of dates and that it shall be the duty of the Treasurer to pay such orders according to the respective dates and numbers in which the same were passed at the said Sessions. But all sums necessary to defray the expenses of the custody and maintenance of prisoners and the accounts of public officers and officers of the court shall be first paid. The fourth section enacts that no order which is passed or recorded shall be rescinded, unless at least the same number of magistrates who passed it shall be present. And the fifth section enacts that no order shall be made for the payment of money, except it be for a debt actually due by the district unless there be sufficient funds in the Treasurers hands to pay the same, and if any order be made contrary to these provisions the Magistrates who sanctioned the same shall be personally responsible to the person in whose favor the order was made.

The District Councils Act of 1841, 4 and 5 Vic. Cap. 10, appears to have withdrawn from the Justices in Quarter Sessions the power to deal with any accounts for services in connection with matters and things within the scope of the powers and jurisdiction of the District Council and placed them under the control of the municipal authorities, where they have ever since remained, leaving all accounts for services in connection with the administration of Criminal Justice to be dealt with by the Justices in Quarter Sessions as formerly.

In 1846 the Statute 9 Vic. Cap. 58, now Cap 120 C. S. U. C., was passed. The first section provided that for the year 1846 one third of the expenses of the administration of Criminal Justice should be paid out of the Consolidated Revenue Fund of the Province; for the year 1847 two-thirds, and thereafter during each year the whole of the said expenses should be paid out of the said fund. Schedules were appended to the Act stating what should be deemed expenses of the administration of Criminal Justice within the meaning of the Act. This Act in no way amended or repealed 7 W. IV. Cap 18 (now C. S. U. C. Cap. 121,) and it was undoubtedly passed to regulate the adjustment of the accounts between the Counties and the Government. During the years 1846 and 1847 it would have been impossible to arrive at the amount represented by these proportions of one-third and two-thirds unless the County in the first instance paid the whole amount. The accounts were to be audited as usual by the Justices in Quarter Sessions and paid by the County Treasurer upon the order of the Chairman of the Sessions. After that such of them as contained items coming within the schedules attached to 9 Vic. Cap. 58 (now C. S. U. C. Cap. 120,) were to be laid before a Board of Audit composed, as per circular No. 2, of the Chairman of the Sessions, and two other parties appointed by the Government who audited them on behalf of the Government and delivered them to the County Treasurer who forwarded them to the Finance Minister in whose department they were finally adjusted, and all items in the several accounts which were embraced in the said schedules or were specially provided for by some other statute were reimbursed to the Counties.

It has been assumed by many that since the passing of the Act 9 Vic. Cap. 58 (now C. S. U. C. Cap. 120) the Counties have nothing to do with the payment of the officials accounts for services in connection with the administration of Criminal Justice until the amount thereof has been received from the Provincial Treasurer. Sections 4 of Cap. 121 and 7 of Cap. 119 C. S. U. C., which are still in force, command the County Treasurer to pay such accounts upon the order of the Chairman of the Quarter Sessions after having been audited and allowed by the Justices in Quarter Sessions.

In *Poussett v. The Corporation of Lambton*, 22 U. C. R. 80, it was decided that "the intention and effect of the statute Cap. 120 "C. S. U. C. is that the *Counties shall be paid or reimbursed* by the Government all such expenses as come within that statute and have been

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"audited by the proper auditors according to the regulations of the Government, and not that the Clerks of the Peace, Sheriffs, Coroners, Constables, and Criers are to make out severally their accounts against the Provincial Government for such services."

In a very recent case *In re the Sheriff of the County of Lincoln and the Treasurer and Corporation of the County of Lincoln*, 34 U. C. R. 1. The question to be decided was whether the County Treasurer was right in refusing to pay the Sheriff's account audited and allowed by the County Board of Audit until it had also been allowed and audited and the amount of it paid over by the Provincial Government to the County Treasurer, and the learned Mr. Justice Wilson decided that he was not. "The Treasurer after the County Audit is without further authority to pay such an account as the one in question unless he can show that the items in question were so inadmissible and illegal that if they were paid the money could be recovered again from the person receiving it."

"The auditing and accounting with the Government is a matter alone between the Government and the County.

"The auditing of the County Board is a matter between the Claimant and the County Treasurer."

"We are of opinion also that as the County Treasurer is to pay such accounts as are in question without further than the County officials authority, he was not justified in postponing payment of the Sheriff's account until it was allowed and paid by the Government."

This last case was decided after the passing of the Law Reform Act of 1868 and its amendments hereinafter mentioned.

By the Law Reform Act of 1868 and the amendments thereof 33 Vic., Cap. 8, and 34 Vic. Cap. 29, Ontario Statutes, sections 1 and 2 of the said Cap. 121 C. S. U. C. were repealed and Section 3 amended. These enactments require that all accounts and demands preferred against the County, the approving and auditing whereof heretofore belonged to the Quarter Sessions, shall henceforth be audited and approved by a Board of Audit composed of the Chairman of the Court of General Sessions and two other persons appointed annually for that purpose by the County Council at their first meeting each year, not more than one of such persons being a member for the time being of

such County Council. Such accounts to be delivered to the Clerk of the Peace on or before the first day of the months of January, April, July and October in each year, and shall be taken into consideration by the auditors between the first and fifteenth of said months and disposed of as soon as practicable.

These Statutes make no allusion whatever to C. S. U. C. Cap. 120, but have reference to the adjustment of the accounts as between the Counties and the officials thereof.

The law now appears to be that all parties having claims against the County which were formerly audited by the Quarter Sessions shall make up their accounts against the County quarterly, ending with the months of March, June, September and December, and shall deliver them to the Clerk of the Peace on or before the first day of the months of January, April, July and October, and it is the duty of the Clerk of the Peace to lay the accounts before the County "Board of Audit," above mentioned who shall audit them on behalf of the County between the first and fifteenth of the said months of January, April, July and October, and direct the payment thereof, and the Clerk of the Peace shall furnish the County Treasurer with a list of the orders passed according to their priority and the County Treasurer shall as directed by section 4 of Cap. 121, C. S. U. C. pay such orders according to the respective dates and numbers in which the same were passed, but all sums necessary to defray the expenses of the custody and maintenance of prisoners and the accounts of Public Officers and Officers of the Court shall be first paid.

Then by Circular No. 12, such of the accounts as contain charges for which the Province is liable shall be delivered to the County Treasurer in duplicate on or before the second Monday next after the sittings of the respective Courts of Assize and *Nisi Prius* and General Sessions of the Peace, and shall include all demands of the party rendering the same up to the time of such rendering, and reference to the authority for the charge; and shall within ten days from the time appointed for such rendering be audited on behalf of the Government by a board of audit composed as mentioned in Circular No. 2, of three auditors appointed by the Government any two of whom shall have power to audit the accounts and when audited, one set of the accounts, with the report.

of the auditors thereon, under their hands shall be transmitted by the County Treasurer to the Provincial Treasurer, in whose department the accounts are finally adjusted, and from which the Counties are reimbursed all such expenditures as come within the Schedules to Cap. 120, C. S. U. C. or are specially provided for by some other Statute.

The accounts are examined in the Provincial Treasury Department in the order in which they are received from the several Counties. Such of the Counties therefore as desire an early reimbursement should have them prepared and forwarded as soon as possible after audit by the County Board of Audit and payment thereof by the County Treasurer

SHERIFFS.

THE FOLLOWING FEES ARE PAYABLE TO THE SHERIFFS, UNDER AND
BY VIRTUE OF ONTARIO STATUTE 32 VIC. CAP. II.

Items marked thus () are payable by the Government.*

* Notice of appointment to the Associate Justices of Oyer and Terminer, each	\$ 50
* Attending the Assizes, per diem.....	5 00
* Attending the Quarter Sessions, do.....	4 00
* Summoning each Grand Jury for the Assizes or Quarter Ses- sions	12 00
* Summoning each Petit Jury for do. do.....	24 00
* For every Prisoner discharged from Gaol, having been com- mitted by warrant for trial at the Assizes, Quarter Sessions, Mayors or Recorder's Court. (1).....	1 00
* Bringing up each Prisoner for arraignment, trial, and sentence, in all, for each prisoner, whether convicted or acquitted (2)	2 00
* Drawing Calendar of Prisoners for trial at the Assizes, includ- ing copies	5 00
* Advertising the holding the Assizes.....	4 00
* Advertising the holding the Quarter Sessions.....	2 00

(1.) Does not apply to parties discharged who were out upon Bail nor to Lunatics sent to the Asylum, but may apply to parties discharged "on Bail." (See Circular No. 1.)

And it may also apply to prisoners sent to the Penitentiary or Reformatory. (See Circular No. 14.)

(2.) Does not apply to a Party who was under bail to appear for his trial. (See Circular No. 1.)

The Sheriff will be allowed the fee for each separate arraignment. (See Circular No. 14.)

* Every Annual or General Return, required by law or by the Government, respecting the Gaol or the Prisoners therein..	5 00
* Every other Return made to the Government.....	4 00
* Every Return to the Sessions required by Statute or by order of the Court	2 00
* Drawing Calendar of Prisoners for trial at the Quarter Sessions or Recorders Court, including copies	3 00
* Returning Precept to the Assizes or Sessions.....	4 00
* Conveying Prisoners to the Penitentiary or Reformatory or to another County (exclusive of disbursements), for each day necessarily employed. (1).....	6 00
* Arrest of each individual upon a warrant. (To be paid out of the public funds, or by the party, as the case may be)...	2 00
* Serving subpœna upon each person. (To be paid out of the public funds, or by the party as the case may be). (2)....	50
* Travelling in going to execute warrant or serve subpœna, 10 cents per mile; and the same charge per mile, actually travelled, in returning with a prisoner. Where the service has not been effected, the Justices in Sessions to be satisfied that due diligence has been used. (To be paid out of the public funds, or by the party, as the case may be).....	

(1). To this allowance the reasonable personal travelling expenses of the Sheriff may be added. The disbursements in question are confined to expenses of transporting prisoners, constables, &c., accounts of which must be furnished in detail. The fee will be allowed if the Sheriff's Deputy performs the service. (See Circular No. 1.)

By instructions of Mr. Brydges convicts are not allowed on first-class cars on the Grand Trunk Railway. Sheriffs or their Deputies should therefore take second-class fares for them and their immediate attendants.

(2.) Sheriffs and Constables are not allowed mileage for serving criminal subpœnas beyond the limits of their own counties except in special cases. County Attorneys having criminal subpœnas to serve, out of their own Counties will send them to the Sheriff of the county where they are to be served. (See Circular No. 11.) If charges are made for the service of subpœnas the original subpœna with affidavit of service and mileage (if any) mentioning the places from and to and sworn by the party performing the service shall be forwarded. (See Circular No. 14.)

Where the Sheriff serves subpœnas or performs other services for the County Attorney of an outer County his account for such services should be sent to the County Treasurer of such outer County as the services were performed for and are payable by such County.

* Conveying Prisoners on Attachment Judges Order or Habeas Corpus to another County exclusive of disbursements, where no charge allowed by law, for each day necessarily employed. (To be paid out of the public funds, or by the party as the case may be).....	6 00
* Making return upon attachment or writ of Habeas Corpus. (To be paid out of the public funds, or by the party, as the case may be).....	2 00
* Levying fines or issues on recognizances estreated, or other process, £5 per £100 on the first £100 of the sum levied, exclusive of mileage at 10 cents per mile to be levied under Con. Stat. U. C. Cap. 119, Sec. 3, and on all sums above £100 the same allowance as on executions in civil proceedings.....	
* Carrying into execution the sentence of the Court in capital cases. All such sums as shall be unavoidably disbursed, to be taxed by the Court or Judge who passed the sentence. (1.)	
* Attending and superintending the execution in such cases..	20 00
* Summoning each Constable to attend the Assizes or Quarter Sessions exclusive of mileage at 10 cents a mile.....	50
* Keeping a Record of Jurors who have served each Court....	2 00
* All disbursements actually and necessarily made in guarding prisoners, or in their conveyance to the Penitentiary, to any other District or elsewhere, or for other purposes in the discharge of the duties of his office (where not provided for by law, nor herein before specifically); to be rendered in account in detail, with proper vouchers, to the satisfaction of the Justices in Sessions, and to be by them allowed.....	

(1.) In the case of a prisoner sentenced to be flogged the Sheriff is allowed a fee of \$6.00 for his attendance together with his reasonable disbursements in preparing a triangle, cat and straps and man to execute the sentence. The Hon. Attorney General 28 April 1871.

The Sheriff upon the order of the Judge who provides refreshments and beds to jurors on criminal cases not permitted to separate will be allowed for the same upon producing the said order or a copy thereof together with the account for such refreshments and beds duly verified or certified by the said Judge.

THE FOLLOWING FEES FOR SERVICES IN CONNECTION WITH THE COUNTY
JUDGES CRIMINAL COURT, ARE PAYABLE UNDER ONTARIO
STATUTE 1869, 33 VIC. CAP. 10.

6 00	
2 00	
20 00	
50	
2 00	
<p><i>Items marked thus (*) are payable by the Government.</i></p> <p>* Notification to Judge and bringing up prisoner under Judges Warrant, including attendance at Court, in all, for each prisoner. (1) 1 00</p> <p>* Bringing up prisoner for arraignment on trial, and for sentence, including attendance at Court, in all, for each prisoner, whether convicted or acquitted (2) 2 00</p> <p>* That the Sheriff be allowed the fees for serving subpcenas, arrest under warrant, travel to serve or execute a process and conveying prisoner to Penitentiary or Reformatory, the like sum as is provided for in the Act of Ont. 32 Vic. Cap. 11. 2 00</p> <p>* Attending the sittings of the Court of Chancery. The same fee allowed per day as for attendance at Court of Assize or <i>Nisi Prius</i>. Attorney-General 18 Nov. 1859. (3) 5 00</p> <p>* Attending County Court sittings held under Cap. 7 of the Ontario Statutes of 1869, per day. (See Circular No. 15.) (3) 4 00</p>	

(1.) Only one notice allowed where prisoner is confined upon several charges. (See Circular No. 19.)

(2.) Each separate arraignment as when the prisoner has found against him more than one indictment will be allowed for. (See Circular No. 19.)

Services of a Constable at this Court will be allowed upon the Sheriff's certificate but no fee will be allowed the Sheriff for summoning him.

Sheriffs should make up their accounts for services at the several Courts upon separate sheets.

(3.) The accounts for these services should be sent direct to the Treasury Department, Toronto, verified by affidavit and accompanied by the Sheriff's certified list of constables who have been summoned to attend these Courts. The Criers account for attendances at the Court of Chancery should also accompany the Sheriffs. These are not services in connection with the administration of Criminal Justice and should not be included in the accounts of such services. It is unnecessary to advertise these Courts. The expenses thereof will not in future be allowed. Instructions of the Hon. the Treasurer, February 1, 1873.

FOR SERVICES UNDER THE JURY LAW C. S. U. C., CAP. 31, SEC. 161.
These fees are wholly payable by the County.

For each Panel Grand or Petit Jurors (1).....	4 00
Each Copy of Panel	1 00
Each summons served on Jurors.....	25
Necessary travel to serve Jurors, per mile	08
Every certificate of attendance given Jurors	20
For each Jurors pay list and for checking the same per day, and for certifying and returning the same to the County Treas- urer such sum as the County Council by by-law deter- mines. Sec SS. 143-4-5 of C. S. U. C.	

1). These services are not in connection with the administration of Criminal Justice.

, SEC. 161.

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COUNTY ATTORNEY.

QUARTER SESSIONS.

Items marked thus () are payable by the Government.*

In every case of misdemeanour tried at the Court of Quarter Sessions in which costs are or may be ordered to be paid by a Defendant, the County Attorney shall be entitled to fees as Attorney and Counsel for services rendered in such case, to be taxed by the Court according to the scale of allowance in the County Courts as nearly as the nature of such services will allow such fees in case of conviction to form part of the costs payable by a Defendant. (1.)

- * In all cases of felony tried at the Court of Quarter Sessions and in all cases of misdemeanour, in which no costs have been ordered to be paid, or if ordered to be paid cannot be made of the Defendant, the County Attorney shall be entitled to receive for the services rendered by him in each such case, the sum of five dollars to be paid upon the Certificate of the Chairman of the Court of Quarter Sessions. (2.)
- * The County Attorney shall be allowed a per centage of \$4 on every \$100 of all public moneys coming into his hands. (3.)

(1, 2, 3.) See C. S. U. C., cap. 106, sections 3, 4, and 10. For Form of Certificate see circular No. 7.

(2.) County Attorneys are allowed the fee of \$5 for the entire case without respect to the number of prisoners named in the Indictment. If the prisoners only sever in their defence but one fee of \$5 is payable. If, however, they were tried by Separate Juries a fee of \$5 is payable on each case. When Bills are ignored no fee is allowed. Telegrams and postages on criminal business to be allowed. Attorney General, 2nd August, 1860.

ASSIZES.

FOR THE FOLLOWING TARIFF, SEE CIRCULAR No. 4.

Items marked thus () are payable by the Government.*

* Receiving and examining all informations and other documents and papers connected with criminal charges for the Courts of Quarter Sessions and Recorder's Courts and drawing Indictment.....	\$2 00
(N.B.—This is the fee formerly received by the Clerk of the Peace, when the duty was performed by that Officer.)	
* For every copy Subpoena (1.).....	0 10
Fee on receiving and examining all informations and other documents and papers connected with criminal charges for the Courts of Assize and General Gaol Delivery, upon the certificate of the Counsel for the Crown at the Trial that such fee should be allowed :	
* In cases of Felony (2.).....	4 00
* In cases of Misdemeanour (2.).....	2 00
(N.B.—Half the fee to be charged, if the case having remained undisposed of, from a prior Assize Court, is prosecuted to Judgment.	
These fees not to be allowed if the County Crown Attorney be also Counsel for the Crown in the case.)	
* For affidavit and application to Judge of Assize for <i>Habeas Corpus ad test,</i> and Writ &c.....	2 00
For examining Division Court Clerk's return. (3.).....	0 50
“ “ Surrogate Clerk's return. (3.).....	0 50

(1.) County Attorneys are requested when they have Criminal Subpoenas to serve out of their own Counties to send them to the Sheriff of the County where they are to be served except in very special cases. Those for service within the County to be delivered to the Sheriff the mileage and fees for which will be taxed to him alone. See circulars Nos. 11 and 14.

(2.) The account for these services will not be allowed unless it is certified by the Counsel for the Crown at the trial.

(3.) Since the Stamp Act came into force these services are considered unnecessary

Items marked thus () are payable by the Government.*

No. 4.	For examining Deputy Clerk Crown return quarterly and certificate thereof. (3.).....	4 00
	* For postage per quarter.....	2 00
	* For attendance on Judge of the County Court by his special requisition in writing—where application made by Prisoner to be allowed to Bail.....	1 00
	* Certificate to Coroner. See circular No. 18.....	1 00

COUNTY JUDGES CRIMINAL COURT.

* The County Attorney at the County Judges Criminal Court to be entitled by Statute to the same fees as for like services at the Courts of General Sessions of the Peace. See 33 Vic. Cap. 10, Ontario Statutes (1.)
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and are not now allowed for.

County Attorney's when making up their accounts for services at the Quarter Sessions or County Judges Criminal Courts will observe particularly the instructions mentioned in circular No. 7. The absence of the Judges Certificate is a sufficient reason for deferring the account.

The County Attorney should make up his accounts for services at the several Courts on separate sheets.

(1.) County Attorneys will be allowed the same fee \$2, for receiving and examining Informations, and drawing Indictments for this Court as at the Sessions. If the County Attorney is also Clerk of the Peace, this fee shall be in addition to the fee of \$2 allowed to the Clerk of the Peace, for attendance at Court, making Record, &c., &c. See circular No. 14.

If the prisoner elects to be tried by a Jury this fee will not be allowed as the Act does not contemplate the intervention of the County Attorney until after the prisoner has elected. See 32-3 Vic. Cap. 35, Sec. 3.

The Rules framed by the Judges to facilitate proceedings at thi' Court, and which require that the County Attorney shall prepare a formal charge in the first instance, have not the sanction of law and being at variance upon this point with the statute, the statute must govern.

In all cases of misdemeanour the account must state whether the costs have been ordered to be paid. See Circular No. 14.

All accounts shall have the proper dates placed opposite the respective charges, and shall be verified by the oath of the party making the same. See Circular No. 14.

CLERK OF THE PEACE.

SCHEDULE OF FEES.

Established on the 5th of September, 1862, by rule of Trinity Term, 26 Victoria. To be taken and received by the Clerks of the Peace in this Province, in lieu of the Table established on 15th November, 1845.

Items marked thus () are payable by the Government.*

	To be paid out of the County funds.	To be paid by the party applying.
	\$ CTS.	\$ CTS.
* 1. For drawing Precept to Summon the Grand and Petit Jury, attending Justices to sign same, and transmitting to the Sheriff.....	4 00	
* 2. Attending each general Quarter Sessions.....	6 00	
* 3. Making up Record of each general Quarter Sessions.....	10 00	
* 4. Notice of every appointment of a Constable, under 23 Vic., ch. 8, or other officer appointed by the Justices in Sessions, and notice of any order made by the Quarter Sessions, when required to be notified to any person or party.	0 20	
* 5. Subpoena.....	0 50	0 50
* 6. Bench Warrant.....	1 00	
* 7. Every Recognizance of the Peace for good behaviour	1 00	
* 8. For discharging the same	0 50	
* 9. Making up Estreats of each Session.....	1 00	
10. Every allowance of Certiorari (to be paid by the party applying)		1 00

Term, 26
Peace in
November,

To be paid
by
the party
applying.

\$ CTS.

o 50

1 00

	To be paid out of the County funds.	To be paid by the party applying.
* 11. Furnishing to Sheriff and Coroners revised lists of Constables, whenever ordered to be done by the Justices in general Quarter Sessions.....	1 00	
12. Reading any Statute or Public Proclamation when required to be done by law.....	o 25	
* 13. Copies of Depositions or Examinations furnished to Prisoners, Defendants, or their Counsel, when required, each folio of 100 words (to be paid out of the County funds, or by the party applying, according to the nature of the case).....	o 05	o 05
* 14. Receiving, filing and reading each Presentment of the Grand Jury.....	o 50	
* 15. For copy thereof forwarded to the Government, or to the County Council, when directed by the Quarter Sessions.....	o 50	
* 16. Arraigning each Prisoner or Defendant indicted, (to be paid out of the County funds, or by the party applying, as the case may be) (1.).....	o 50	o 50
* 17. Empanning and swearing the Jury in every case, whether criminal or otherwise, where by law a trial by Jury is to be had at the Quarter Sessions, and when no fee is fixed by statute: (to be paid out of the County funds, or by the party, as the case may be) ..	o 50	o 50
* 18. Swearing each Witness upon any trial by a Jury, or to go before the Grand Jury: (to be paid out of the County funds, or by the party, as the case may be).....	o 20	o 20
* 19. Filing each Exhibit on a trial: to be paid out of the County funds, or by the party, as the case may be). (2).....	o 08	o 08

(1.) Each separate arraignment of a prisoner against whom several indictments are preferred will be allowed for. In all cases of misdemeanour the account shall

	To be paid out of the County funds.	To be paid by the party applying.	
		\$	cts.
20. Every Subpœna Ticket, or copy of Subpœna, when necessary: (to be paid out of the County funds, or by the party applying, as the case may be).....		0	20
* 21. Charging the Jury with the Prisoner or Defendant, upon each indictment: (to be paid out of the County funds, or by the party, as the case may be)		1	00
* 22. Receiving and recording each Verdict of a Petit Jury, in any case of trial by Jury: (to be paid out of the County funds, or by the party, as the case may be).		0	50
* 23. Recording each Judgment or Sentence of the Court upon a Verdict or Confession: (to be paid out of the County funds, or by the party, as the case may be).....		0	50
* 24. Making out and delivering to to the Sheriff a Calendar of the Sentences at each Court..		1	00
* 25. Certified copy of Sentences sent with the Prisoners to the Penitentiary, after each Session.....		0	50
* 26. Making up Record of Conviction or Acquittal, in any case where it may be necessary :(to be paid out of the County funds, or by the party applying, as the case may be,) per folio of one hundred words.....		0	10
27. Every Copy or Extract of a record or Paper of any kind, required to be made by Law, or by order of the Justices in Sessions, or for the Information and use of the Government, when required, and where no charge is fixed by law —if the same shall be less than 10 folios of			

state whether or not costs have been ordered to be paid. (See Circular No. 14.)

(2.) Examinations, Informations, Warrants and Recognizance &c., in larceny cases sent and filed before courts are not to be regarded as exhibits but such papers only as are filed in the progress of a trial. Attorney-General West, 11 Sept. 1857

		To be paid out of the County funds.	To be paid by the party applying.
	\$ cts.		
	one hundred words each.....	1 00	1 00
28.	If above 10 folios, then for each folio.....	0 10	0 10
* 29.	Discharging any Prisoner by proclamation.....	0 50	
30.	Drawing bill of Costs, including taxation (to be paid by the party), and filing the same where necessary to be made and filed, as in cases of assault, Nuisances or the like, and in Appeals.....	0 50	
* 31.	Drawing out and taking each Recognizance to appear, either of Prosecutor, Defendant or Witness.....	0 50	0 50
* 32.	Calling parties on their Recognizance, and recording their non-appearance, for each person called: (only to be charged where the parties do not answer).....	0 25	0 25
* 33.	Drawing order of the Justices to Estreat and put in Process: (on the whole list).....	0 50	
* 34.	Entering any order of Sessions, or of the Chairman with two Justices, to remit any Estreat, and recording an Entry of the same: (to be paid out of the County funds, or by the party relieved, as may be ordered),	0 25	0 25
* 35.	Entering and Extracting upon a Roll in duplicate, the fines, issues, amerciaments, and forfeited Recognizances, recorded in each Session, making Oath to the same, and transmitting to the Sheriff.....	2 00	
* 36.	Making out and delivering to the Sheriff the writ of <i>fieri facias</i> and <i>capias</i> thereon.....	50	
* 37.	Making out and certifying copy of Roll and return of the Sheriff, and transmitting it to the Receiver General.....	1 00	
* 38.	Making up Book of Orders of Sessions, declaring the limits of the Division Courts,		

	To be paid out of the County funds.	To be paid by the party applying.
and entering the times and places of holding the Courts.....	1 00	
* 39. Making out and transmitting a copy thereof to the Government.....	1 00	
* 40. Making out and transmitting copies (with letter to the Clerks of each Division Court, of the Divisions made by the Quarter Sessions	1 00	
* 41. Drawing Orders of Sessions for altering the limits of Division Courts	1 00	
* 42. Making out and transmitting copies of such Orders to the Government.....	0 50	
* 43. Making out and transmitting copies of such Orders to each Division Court affected by the alteration	0 50	
* 44. For each copy of Schedule of the Division Courts, with the order of Sessions, for publication.....	0 50	
45. For every Search under three years : (to be paid by the party making the search).....	0 20	
46. For the same, extending over three years.....	0 50	
47. For every Certificate required of proof of a Deed, (to be paid by the party applying for the same).....	1 00	
48. For every other Certificate required by Law, or by order of the Sessions, to be given, where the same is under five folios : (to be paid out of the County funds, or by the party applying for the same, according to the nature of the case).....	0 50	0 50
49. For the same, if more than five folios, per folio.....	0 10	0 10
50. Copying orders of Court, and causing		

To be paid by the party applying.	To be paid out of the County funds.	To be paid by the party applying.
		be published, where it is requisite, for each order, exclusive of the expense of publication.
0 50	0 50	51. Receiving and filing affidavit of Bastardy, to be paid by the party producing it.....
	0 25	52. Receiving and filing each Tender for any Public work, or supply, or printing, or other service.....
	0 50	53. Making out a list of the several tenders on each occasion, as they are opened, specifying the names, prices, and other particulars, and filing the same, when required to be done by the Justices.....
	1 00	54. Drawing bonds or agreements for the delivery of articles, or for doing the work for the Gaol or other County purposes, and attending execution, when required by the Justices.....
0 20	4 00	55. Receiving and filing accounts and demands at the General Quarter Sessions, preferred against the County, in each Session, numbering them, and submitting them for audit, and making out the cheques.....
0 50	2 00	56. Making out and delivering lists of orders on the Treasurer, made at each Court of Quarter Sessions.....
1 00	1 00	57. Making out and transmitting to the Inspector General a return or Schedule of all Convictions which have taken place before any Justice or Justices, or before the Court, each list.....
0 50	•	58. Making out the annual account to be laid before the Grand Jury at the Quarter Sessions (<i>vide Consol. Stat. U. C., ch. 122</i>), of the sum necessary to be provided for the maintenance of insane persons.....
0 10	1 00	59. For every report or return required by Statute, or by the Government, where no remuneration

	To be paid out of the County funds.	To be paid by the party applying.
has been provided by this Table or Statute..	1 00	
60. Making out and transmitting a return to the Government of Justices and Coroners who have taken the Oaths, when required to be done, for each return.....	1 00	
61. Drawing every special Order of the Court of Quarter Sessions, necessary to be communicated to any party, and entering it on Record	0 50	
62 Letter, and transmitting or delivery to the party interested or affected thereby.....	0 25	
* 63. Swearing each party to an Affidavit, where no charge is elsewhere provided for it ; (to be paid out of the County funds, or by the party for whom the Affidavit is sworn, according to the nature of the case).....	0 20	0 20
64. Causing notice to be published of any special or adjourned Sessions, when directed by the Chairman of the Quarter Sessions, or other two Justices, so to do ; (exclusive of the amount paid the printer for publication.....	1 00	
65. Sending notice of any such Session to the Justices individually, when it may be directed by the Chairman, or other two Justices, for each notice.....	0 10	
66. Attending each adjourned or special Sessions, and making up record thereof.....	2 50	
67. Receiving and filing Notices of Appeal, and the Appeal from any Judgment or Conviction by one or more Justices, where an Appeal to the Quarter Sessions is given by Law ; (to be paid out of the County funds, or by the party appealing, as the case may be).....	0 25	0 25
68. When the Appeal called on, reading the Conviction, Notice of Appeal, and Recognizance ; (to be paid out of the County funds, or by the party appealing, as the case may be).....	0 50	0 50

To be paid
by
the party
applying.

	To be paid out of the County funds.	To be paid by the party applying.
69. For all other Services upon the Trial of such Appeal case, when tried by a Jury, including the receiving and recording the Verdict, the same charges as in ordinary Criminal Trials ; (to be paid out of the County funds, or by the party, as the case may be).....		
70. Issuing Process to inforce the order of the Court in any Appeal case ; (to be paid out of the County funds, or by the party, as the case may be).....	1 00	1 00
71. Making out Warrant of Distress or Commitment, in any case where no fee is specially assigned therefor in any Statute, or in this Table	1 00	
72. Drawing certificate of approval by the Justices in Sessions, of sureties tendered by the Sheriff ; (to be paid by the Sheriff).....		0 50
73. Administering Oaths to any Public Officer, when authorized so to do ; (to be paid by the Officer).....		0 25
74. Receiving and filing each Oath of Qualification of a Justice of the Peace.....	0 25	
75. All Letters written to the Government, all Letters written by direction of the Chairman, or of the Justices in Sessions, to Justices, Coroner, or Constables, or others, upon special business connected with the Administration of Justice, or County purposes.....	0 25	
76. For distributing the Statutes to the Justices and County Officers, or others, when directed by the Statute or the Government so to do, and taking receipts therefor from each Justice or Officer.....		0 10
77. For accounting to the County Member for the copies of Statutes not called for by the Justices and County Officers, and delivering the same to him, whenever such duty shall be required by Statute, or by the Government—and no		

o 20

o 25

o 50

	To be paid out of the County funds.	To be paid by the party applying.
other fee allowed.....	1 00	
78. For procuring and supplying to Clergymen and Ministers all Books and Forms required under the Consol. Acts, U. C., ch. 72, for each Book with the necessary set of Forms..	0 25	
79. For fowarding the Returns directed by the Census Act, Consol. Stat. Can., ch. 23, annually.....	0 50	
80. For receiving and filing Voters' Lists under the Election Law, Con. Acts., Can., ch. 6, sec. 6, sub sec. 2, each list.....	0 25	
81. For attending and producing before County Judge the Duplicate List, when required by the Judge to do so, under sub-sec. 8 of the same	0 50	
82. For filing each List, Return, or other paper, where no charge is specially provided for, except Accounts and Claims against the County, and papers connected with matters to be charged against private individuals; (to be paid out of the County funds, or by the party for whom the service is rendered, according to the nature of the case).....	0 08	0 08

To be paid
by
the party
applying.

THE FOLLOWING FEES FOR SERVICES IN CONNECTION WITH THE COUNTY
JUDGES CRIMINAL COURT, ARE PAYABLE UNDER ONTARIO
STATUTE 1869, 33 VIC. CAP. 10.

Items marked thus () are payable by the Government.*

* Attending and service in Court, and making all necessary entries for each prisoner brought before the Judge and not consenting to be tried—in all	50
* For attendance in Court and services rendered at trial making necessary record of proceedings and all necessary entries including Calendar of conviction for each prisoner.	2 00
* Preparing Judge's warrant to bring up the body of prisoner and delivering same to Sheriff—for each prisoner. (1)..	50
* Issuing writ of Summons to witness when necessary.....	40
* Copy of Summons each.....	20
* Warrant of Remand when issued and delivered to Sheriff..	50
* For Warrant to arrest taking and estreating recognizances and proceedings to enforce same, same fees as allowed for like services at the General Sessions of the Peace....	

(1.) If prisoner is confined upon more than one charge only *one* warrant will be allowed unless under special circumstances. (See Circular No. 19.)

In all cases tried at this court the verdict shall be stated and if the prisoner elects not to be tried at such court the fact shall be mentioned. (See Circular No. 14.)

In all cases of misdemeanor the account shall state whether or not costs have been ordered to be paid, this applies also to the account for services at the Sessions. (See Circular No. 14.)

All accounts shall have the proper date placed opposite the respective charges and shall be verified by the oath of the party making the same. (See Circular No. 14.)

The Clerk of the Peace should make up his accounts for services at the several Courts upon separate sheets.

THE FOLLOWING FEES ARE PAYABLE FOR SERVICES UNDER THE JURY LAW
CON. S. U. C., CAP. 31, SEC. 160.

These fees are wholly payable by the County.

For receiving and examining the Reports of Selectors for each City, Town, Village and Township, causing any deficiency that may be found therein to be supplied and filing the same in his office.....	0 50
For giving Certificates to Selectors of Jurors of duties having been performed.....	0 50
For preparing in proper form each Juror's Book and superintending the making up of the same, besides actual disbursements for stationer's charges.....	3 00
For arranging alphabetically and in order the names contained in Selector's Report, per one hundred names	2 00
For making up Juror's Books entering all the names and numbers and all other matters required to be entered therein, per one hundred names.....	2 00
For each copy of Juror's Book required by this Act, per one hundred names.....	2 00
For each Certificate required to be entered on the Jurors Book to verify same.....	1 00
For copy of Jury list required to be entered, per one hundred names.....	2 00
For each panel of Jurors drafted from the Jury list per one hundred names on such Jury list.....	2 00
For entering each panel in the Juror's Book, with the numbers corresponding to the Jury list.....	2 00
For making up aggregate return in detail of Jurors.....	5 00
For copy thereof and transmitting same to Provincial Secretary when required and for office copy of the same, each..	2 00
For examining and noting services of jurors, per one hundred names for each year under which examination shall be made. See Sec., 81 of Administration of Justice Act of 1874, Ont.....	0 50
For every Schedule of Convictions required by C. S. U. C. Cap., 124, Sec., 4 and 5 and Cap., 31 of 32-3 Vic., Dom., Sec., 80-1, besides the expense of publication.....	4 00

CORONER.

Items marked thus () are payable by the Government.*

0 50		
0 50	* Precept to summon Jury.....	\$0 50
3 00	* Impanelling a Jury.....	1 00
2 00	* Summons for Witnesses, each.....	25
2 00	* Information or examination of each Witness.....	25
2 00	* Taking every recognizance. (1).....	50
2 00	* Necessary travel to take an inquest, per mile.....	20
2 00	* Taking inquisition and making return.....	4 00
1 00	* Every warrant. (2).....	1 00

The question as to when it is necessary to hold an inquest is often one of very great delicacy. Coronors have been known to be in readiness, to seize the body as soon as the breath leaves it. Men of this stamp bring great discredit upon a high and honourable official position. When Coronors are called upon to hold an inquest, if they would take the information of the person tendering it, upon oath and in writing they would in a large measure relieve themselves from the charge of meddlesome interference which is too often made against them. Such information should be sufficient under the first clause of the Act respecting Inquests by Coronors Cap. 125, C. S. U. C., to warrant the holding of an inquest and should be filed, with the Inquisition and papers, with the County Attorney; whereupon the County Attorney will grant his certificate of the fact of such filing and will state therein whether or not in his opinion, from the papers filed with him, the Inquest was necessary. This certificate should be attached to the Coronors account for holding the Inquest. See circular No. 14.

(1.) In cases where the witnesses are bound over to appear and give evidence at the trial of any of the Courts, all should be entered in *one* recognizance, unless there are very special circumstances which prevent it.

(2.) The purpose for which the warrant issues should be mentioned.

Coronors when preparing their accounts will observe the requirements mentioned in Circulars Nos. 8 and 14.

When mileage is claimed, places from and to shall be mentioned.

All accounts shall have the proper date placed opposite the respective charges, and shall be verified by the oath of the party making the same. See circular No 14.

Expenses of interment or exhuming the body, coffin, &c., are payable by the county. If the attendance of a medical practitioner is required at an Inquest, he shall re-

CORONER'S CONSTABLES.

Items marked thus () are payable by the Government.*

* Summoning Jury for Coronor's Inquest including attending at Inquest and all services in respect thereof, if held on the same day as Jury Summoned.....	2 00
* Attending each adjournment thereof if not engaged more than four hours.....	1 00
* Do. if engaged more than four hours.....	1 50
* Serving Summons or Subpœna to attend before Coronor. (Subject to No. 1.)	25
* Mileage serving same.....	10
Exhuming body under Coronor's Warrant.....	2 00
Re-burying same.....	2 00

ceive for such attendance if without a *post mortem* examination, \$5, if with a *post mortem* examination, without an analysis of the contents of the stomach or, intestines, \$10; if with such analysis \$20, together with the sum of 20cts. per mile, for each mile he has to travel to and from such inquest, such travel to be proved by his own oath to the Coronor who may administer the same. The Coronor shall make his order on the County Treasurer for such fees. C. S. U. C. Cap. 1-5, S. 10.

When a Professor of Chemistry is requested to make an analysis by the direction of the Hon. the Attorney General, he shall be paid the fee of \$50, \$20 of which shall be payable by the County. Attorney General 23 Dec. 1861. Expenses of conveying stomach, &c., for analysis, are payable by the County. Attorney General 12th March 1861.

The hire of a room in which to hold an Inquest is not chargeable to the Government. Coroners are not allowed the fee of 25cts. for Summons, if the witness is called from among the people present.

See Constables Tariff p. 31

Constables accounts in connection with Inquests shall be sent in separately and have in the Certificate of the Coronor attached that services were performed. See form D. in Schedule.

When mileage is claimed, the places from and to shall be mentioned.

All accounts shall have the proper dates placed opposite the respective charges and shall be verified by the oath of the party making the same. See form of oath, form B in Schedule. See Circular No. 14.

All expenses for coffin, exhuming and burying the body, &c., &c., are payable by the County.

MEDICAL WITNESSES ATTENDING INQUEST ON THE ORDER OF A CORONER. See C. S. U. C. CAP. 125, S. 10.

These fees are wholly payable by the County.

When any legally qualified Medical Practitioner has attended an Inquest in obedience to an order from the Coronor he shall be entitled to the following remuneration to be paid by the County Treasurer, on his presenting his account in duplicate certified by the Coronor.

2 00	For attendance at Inquest without a post mortem examination.	5 00
1 00	For attendance if with a post mortem examination without an analysis of the contents of the Stomach or Intestines.	10 00
1 50	For attendance if with a post mortem examination, and analysis of the Stomach and Intestines.	20 00
25	Mileage for each mile he has travelled to and from such Inquest such travel to be proved by his own oath to the Coronor, who may administer the same. (1.).....	0 20
10		
2 00		
2 00		

(1.) The number of miles should be stated in writing, and places from and to should be mentioned.

CONSTABLE.

Copy of an Order in Council approved by His Excellency the Lieutenant-Governor, the Twenty-fourth day of July, 1874.

Upon the recommendation of the Hon. Attorney-General, the Committee of Council advise that the fees in the table annexed be fixed by your Excellency as the fees to be taken by Constables, for services rendered by such officers in the Administration of Criminal Justice, or in any proceedings had before Coroners or Justices of the Peace.

Certified.

(Signed) GEO. B. NICOL.

For Clerk Executive Council, Ontario.

25th July, 1874.

TARIFF OF FEES TO BE TAKEN BY CONSTABLES.

Items marked thus () are payable by the Government.*

*	1. Arrest of each individual upon a warrant.....	\$1 50
*	2. Serving summons or subpoena.....	0 25
*	3. Mileage to serve summons, subpoena or warrant.....	0 10
*	4. Do. when service cannot be effected upon proof of due diligence.....	0 10
*	5. Do. taking prisoner to gaol, exclusive of disbursements necessarily expended in their conveyance.....	0 10
*	6. Attending Justices on summary trials, or on examination of prisoners charged with crime, for each day necessarily employed in one or more cases, when not engaged more than four hours.....	1 00
*	7. Do. when engaged more than four hours.....	1 50
*	8. Attending Assizes or Sessions each day.....	1 50
*	9. Mileage travelling to attend Assizes, Sessions, or before Justices, (when public conveyance can be taken, only reasonable disbursements to be allowed).....	0 10

* 10. Summoning Jury for Coroner's inquest, including attending at inquest, and all services in respect thereof, if held on same day as Jury summoned.....	\$ 2 00
* 11. Attending each adjournment thereof, if not engaged more than four hours.....	1 00
* 12. Do, if engaged more than four hours.....	1 50
* 13. Serving summons or subpœna to attend before Coroner, (subject to No. 10).....	0 25
* 14. Mileage serving same.....	0 10
15. Exhuming body under Coroner's warrant.....	2 00
16. Reburying same.....	2 00
17. Serving distress warrant, and returning same.....	1 50
18 Advertising under distress warrant.....	1 00
19. Travelling to make distress, or to search for goods to make distress, when no goods are found.....	0 10
20. Appraisements, whether by one Appraiser or more, two cents in the dollar on the value of the goods.....	
21. Catalogue sale and commission, and delivery of goods five cents in the dollar on the net produce of the goods	
22. Executing search warrant (1).....	1 50
* 23. Serving notices on constables, when personally served...	0 50

All Constables fees for services in connection with prisoners charged before Justices of the Peace with other than Indictable offences are payable by the County.

The fees in the case of a prisoner charged with an indictable offence, who is not committed for trial before a Court of Record, but the case is dismissed by the Justice, are also payable by the County. See circular No. 9.

Constables must state in their accounts the nature of the crime upon which the prisoner was arrested, and whether he has been tried or held over for trial before the Assizes Quarter Sessions or Recorder's Courts. See circular No. 9.

Mileage at 10c. per mile going to arrest, covers hire of conveyance. See circular No. 1.

Constables shall have attached to their accounts the magistrates certificate that the services were performed. For form of certificate to be attached to accounts payable by the Government, see Form C in Schedule.

Where mileage is claimed, places from and to shall be mentioned.

Assistant constables shall forward their own accounts certified by the Magistrate that the charges are correct, and that assistance was necessary. For form of certifi-

CRIER.

Items marked thus () are payable by the Government.*

	\$	c.
* Making proclamation for opening or adjourning the Court of Assizes and Nisi Pruis, Oyer and Terminer, and General Gaol Delivery and Quarter Sessions.....	20	
* Making every other proclamation.....	20	
* Calling and swearing Grand Jury.....	50	
* Calling and swearing every Petit Jury.....	50	
* Calling and swearing every Witness or Constable	10	
* Attending Assizes and Quarter Sessions, per diem, (1).....	1	00

cate to be attached to accounts payable by the Government see Form E. in Schedule.

The account must also shew for what crime the prisoner was arrested, and whether or not he has been committed for trial, or bail has been accepted. All accounts shall have the proper dates placed opposite the respective charges and shall be verified by the oath of the party performing the service. See circular No. 14.

A constable's charge for attending a Jury at night is admissible. See circular No. 1.

Blank lists for constables attending courts are furnished the Sheriff by the Treasury Department at Toronto. These are to be filled up and certified by the Sheriff. The County Treasurers will then include them in their quarterly Schedules of accounts, and payments will be made only on these certified lists.

\$1.50c. per day will be considered a proper allowance for constables escorting prisoners to the Penitentiary, all his expenses being paid—that being the daily allowance for other services.

(1.) The fees for executing a search warrant, other than for the arrest, are payable by the County. See Circular No. 1.

A constable who pursues a criminal from County to County under a warrant properly endorsed, is entitled to charge as much as if the arrest were made in his own County.

Where Constables under the authority and by the command of the Executive Government pursue Criminals beyond the limits of the Province, a fair allowance ought to be given them to cover expenses, but in no other case is a constable entitled to any allowance for the pursuit of a prisoner beyond the limits of the Province. See circular No. 3.

(1.) The recent Tariff which took effect on the 1st day of March, 1874, applies to civil cases only.

The services of Crier at the County Judges Criminal Court, are considered unnecessary, and no fees will be allowed for such services. Attorney-General, Sept. 20, 1872.

Every proclamation charged for, should be mentioned in the account.

All accounts shall have the proper dates placed opposite the respective charges and shall be verified by the oath of the party making the same. See Form B in Schedule. See also circular No. 14.

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Circular No. 1.

Administration of Criminal Justice, CANADA WEST.

REMARKS ON CHARGES PAYABLE BY THE PROVINCIAL GOVERNMENT.

THE INSPECTOR GENERAL submits, for the consideration and guidance of the Boards of Auditors of accounts of expenses of Administration of Criminal Justice in the several Counties in Canada West, and other parties concerned, the following observations and remarks respecting charges payable by the Provincial Government, provided for by the Act 9 Vict. chap. 58, being, it is believed, conformable to the views of the Law Officers of the Crown thereon.

INSPECTOR GENERAL'S OFFICE,
Toronto, C. W., March, 1850.

SHERIFF.

"Bringing up prisoner for arraignment, trial, &c., for which he was under bail to appear for his trial." Does not apply to a party who fee of 5s. is allowed by Tariff. (1).

"Prisoners discharged from gaol." Does not apply to Prisoners sent to the Penitentiary; nor to parties discharged who were out upon bail; nor to Lunatics sent to the Lunatic Asylum; but may apply to parties discharged "on bail."

"Conveying prisoners to the Penitentiary," or to "another County," "exclusive of disbursements," 25s. per day for each day necessarily employed.

This allowance of 25s. a day covers the Sheriff's personal expenses; his reasonable personal travelling expenses may be allowed in addition. The disbursements in question are confined to expenses of transporting prisoners, constables, &c., accounts of which must be furnished in detail. The 25s. per day will be allowed when the Deputy Sheriff performs the service.

(1). See Circular No. 19.

(2). See Circular No. 14.

Contingencies, such as Stationery, Postage, &c. Are not chargeable to the Provincial Government.

"Monthly Returns of Prisoners in Gaol." The fee for these returns appears to be 5s. for each when rendered to the Government.

Quarterly Returns, do.

It does not appear that these can be allowed for.

"Return of Emoluments."

A fee cannot be allowed for a return of this description.

CLERK OF THE PEACE.

Items provided for in the Judges Tariff, but not included in the remittance, but are payable wholly by Schedule to Act 9. Vict. ch. 58, the County, or where provided for, especially those under the heads of by the party.

"Duties connected with the Assessment and Ratios," "Duties connected with shop and tavern licenses and distilleries," and "miscellaneous services."

"Lists of Special Jury." (Per U. C. Act 48 Geo. 3, ch. 13, sec. 1.) Not a proper charge on the Gov. 3.) Annually on or before the 15th July, for which a fee of 5s. is allowed.

Jury lists for the Sheriff—34Geo. 3, ch. 1. Annually—fee 2s. 6d. fall under the head of expense of per 100 names.

"Returns of Convictions by Magistrates." (Per 4 and 5 Vict. ch. 12 sec. 4—fee £1 each. 1st May and 20th Feb. (Per 56 Geo. 3, chap. 3. sec. 5.)—fee £2 each.

"Lists of Licenses issued by District Inspector," 1st May and 20th Feb. (Per 56 Geo. 3, chap. 3. sec. 5.)—fee £2 each.

Contingencies such as Stationery, Office rent, Postage, &c. Not chargeable to the Government.

"Filing papers," 4d. each.

The Schedule to the Act allows for "filing each exhibit upon a trial," 4d. per Judges Tariff, but no provision is made for filing other papers not specified, and cannot be admitted.

"Bill of Costs," "writing letters" Not provided for; therefore not 1s. 3d. each. "Subpœna tickets" chargeable to the Government. 1s. each.

CORONER.

Expenses of interment (1). Not provided for, therefore not chargeable to the Government.

Services of Physician or Surgeon Ditto Ditto
inquests. (2).

"Warrant"—see 5s.

Where this charge is made it should be explained for what purpose.

CONSTABLE.

"High Constable"—(appointed under Act U. C., 33 Geo. 3, ch. 2, sec. 8. A salary of this Officer is not considered as chargeable to the Government, although his fees as a constable are.

"Attending Assizes or Sessions" This allowance of 5s. per day is 5s. per day, or "Adjourned Sessions" considered as covering the 12 hours. The charge for attending a jury or Prisoner by night, in addition to the charge for the day is admissible.

"Mileage,"—"to make arrest or serve summons or subpœna," 6d. per mile. The allowance of 6d. per mile in these cases, covers hire of conveyance.

"Mileage,"—"taking prisoners to gaol," 4d. per mile, "exclusive of hire of conveyance will be admitted in addition to disbursements necessarily expended the allowance of 4d. per mile in their conveyance."

"Mileage," generally, "Arrest under Warrant"—fee 5s. "Serving pertaining thereto, will be admitted summons or Subpœna," fee 1s. 3d., as chargeable against the Government.

only in cases of the following description of offences, viz—"Offences tried or to be tried at the Court of Oyer and Terminer, or at the Court of Quarter Sessions, (cases connected with criminal justice) but not to cases falling under the jurisdiction of justices."

(1.) These Expenses are payable by the County.

(2.) These Expenses are payable by the County. See C. S. U. C., chap. 125, s. 10.

“ Keeping prisoner in custody before trial, or examination.” The charge for, or the expense of, not allowed unless strictly of a *criminal* nature—not falling under the jurisdiction of Justices, as “ Petty Trespasses,” and depends on the particular nature of the case.

“ Escorting prisoners to the Penitentiary.” 5s. per day is considered as the proper allowance for this service, (all the constables’ expenses being paid by the public), that being the daily allowance for other services.

“ Search Warrant.” (1.)

The fee for executing a search warrant is not considered as chargeable to the Government—not provided for.

GAOLER AND TURNKEY.

Salaries of proportion chargeable to the Government. (2.) No rule established by authority, but one-half is probably considered reasonable.

MAGISTRATE’S FEES.

Justices’ Fees allowed by 4, Wm. 4, chap. 17. Not chargeable to the Government.

CRIER.

His fees should not be charged for services other than those connected with administration of Criminal Justice, and specified in the Schedule to Act 9, Vict. chap. 58.

TREASURER.

Treasurers’ Commission.

Cannot be admitted as a charge against the Government.

MAINTENANCE OF CRIMINAL PRISONER.

Medical attendance, fuel, bedding and clothing, and necessaries expenses as are incurred for prisoners in the Gaol, such as soap and candles on criminal charges, can be dles, cooking utensils and others, allowed as chargeable against the washing and cleaning Gaol. Only such proportion of these expenses as are incurred for prisoners in the Gaol, such as soap and candles on criminal charges, can be allowed as chargeable against the Government.

(1). The fees, with the exception of the fee for the arrest, are payable by the County.

(2). Amended. See Circular No. 6.

Repairs to the Gaol or Court House.	Not chargeable to the Government.
Washing and cleaning Court and Jury Rooms. (1).	A proportion of these expenses, say one-half, will be admitted, though not determined by authority.
Washing and cleaning rooms for District Courts.	Not admitted as chargeable to the Government.
Fuel, furniture, light and necessities for the Court House.	Not chargeable to the Government, as it is considered such expenses should be borne by the Municipal Council.

GENERAL REMARKS.

Fees for services, although provided for by the Tariff established by the Judges, are not chargeable to the Government, unless specified in the Schedule to the Act 9 Vic. chap. 58, but are, as formerly, payable by the Municipal Council or otherwise.

It is recommended that the several Officers make out their accounts of fees, &c., for services connected with Criminal Justice payable by the Government, distinct from expenses payable by the County; that the date when every service was performed be given, and that the nature of the offence for which parties were arrested, tried, &c., be stated, especially in the accounts of the Sheriff, Clerk of the Peace, Constables, &c.

It is recommended that fixed salaries or allowances, such as Gaolers' and Turnkeys' salaries, be charged in equal half-yearly or quarterly proportions.

The Constables' charges for attendance at Assizes or Sessions, should be certified by the Sheriff or proper officer.

The Gaoler's account, or the account of expenses of maintenance of prisoners, should specify the name of each prisoner, the offence for which committed, by what authority committed to Gaol, period of maintenance charged for—excluding debtors, lunatics, indigent, &c.—the expenses, of those confined for Criminal offences only, being chargeable to the Government.

Circular No. 2.

Furnished for the Information of the County Auditors and Treasurers of Counties, Upper Canada.

CRIMINAL JUSTICE ACCOUNTS, UPPER CANADA.

Extract from the Order in Council, dated 10th Aug., 1846.

“That all accounts for the payment of which the Province by the Act 9th Vic., Chap. 58, is liable, shall be rendered in duplicate to the

(3). Overruled. See Circular No. 5.

Treasurer of each District during the sitting of the Court of Quarter Sessions or within three days thereafter, and shall include all the demands of the party rendering the same (payable as aforesaid to the Province) and to refer to the authority for the charge." (1).

" That the Treasurer shall not submit any such account for audit, which shall contain items not included in the Schedule to the Act."

" That each account shall be verified by the oath of the party that it is just and correct to the best of his knowledge and belief; and in cases where mileage is charged, there shall be an affidavit stating the places from which and to which the mileage is reckoned, as well as the number of miles, and in no case shall more than the actual miles travelled be allowed, nor a greater number of miles than the distance from the Court House to the place of Service."

" That a Board of Three Auditors be named in each District, of whom the Chairman of Quarter Sessions shall be Chairman, any two of whom shall have power to audit the accounts which shall have been rendered to the Treasurer, and that such audit shall be made within ten days from the expiration of each Court of Quarter Sessions, and that every account so rendered to the Treasurer, and which shall be made out and verified as aforesaid, shall be submitted to the said Board, who shall also have power to call upon the Accountant for any information they may require; and that one set of the accounts, when audited, with the report of the Auditors thereon, under their hands, shall be transmitted by him to the Inspector General, to be by him reported on for the information of his Excellency in Council."

" That a warrant for the amount finally allowed be issued in favor of the proper Treasurer, with a pay list showing the names of the accountants and the sums allowed to each, which pay list shall be furnished by the Inspector General, and shall be signed and acquitted by the several parties, and shall be returned to the Inspector General as the Treasurer's voucher for the Department."

Signed,

[TRUE EXTRACT.]

WILLIAM DICKINSON,
Deputy Inspector General.

Circular No. 3.

INSPECTOR GENERAL'S OFFICE,
Toronto, November 8th, 1858.

GENTLEMEN:—

I have the honor to transmit for your information the following instructions from the Crown Law Officers relative to the fees to be allowed to Constables in certain cases:—

I. When Constables under the authority and by command of the Executive Government pursue criminals beyond the limits of the Province, a fair allowance ought to be given them to cover expenses; but

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in no other case is a Constable entitled to any allowance for the pursuit of a prisoner beyond the limits of the Province.

2. That a Constable who pursues a criminal from county to county under a warrant properly endorsed, is entitled to charge as much as if the arrest were made in his own county.

3. That charges for assistance ought to be disallowed, on the ground that if assistance is required, a second Constable should be called in, whose account will be allowed on the certificate of the Magistrate that he was required.

I have the honor to be, gentlemen,

Your obedient servant,

WM. DICKINSON,

Acting D. I. G.

The Government Auditors for the County.

Circular No. 4.

DEPARTMENT OF ATTORNEY GENERAL FOR U. C.,
QUEBEC, 31st May, 1861.

SIR,

I am desired to inform you that the Honorable the Attorney General for Upper Canada having brought under the notice of the Governor General, that certain duties were imposed on County Crown Attorneys under the Statute for which no remuneration is given, His Excellency has been pleased to approve of an order in Council for a Regulation under the 106th Chapter of the Consolidated Statutes for Upper Canada, embracing the following Memorandum of fees to be paid to County Crown Attorneys for such services:—

Receiving and examining all informations and other documents, and papers connected with criminal charges for the Courts of Quarter Sessions and Recorder's Courts, and drawing Indictment.....	\$2 00
(N.B.—This is the fee formerly received by the Clerk of the Peace, when the duty was performed by that Officer.)	
For every Copy Subpoena.....	0 10
Fee on receiving and examining all informations and other documents and papers connected with criminal charges for the Courts of Assize and General Gaol Delivery, upon the certificate of the Counsel for the Crown at the Trial that such fee should be allowed:	
In cases of Felony.....	4 00
In cases of Misdemeanor.....	2 00
(N.B.—Half the fee to be charged, if the case having remained undisposed of, from a prior Assize Court, is prosecuted to Judgment.	

These fees not to be allowed if the County Crown Attorney be also Counsel for the Crown in the case.)	
For affidavit and application to Judge of Assize for <i>Habeas Corpus ad test.</i> and Writ, &c.....	\$2 00
For examining Division Court Clerk's return (1.).....	0 50
" Surrogate Clerk's return (2.)	0 50
" Deputy Clerk Crown return quarterly, and certificate thereof (3.)	4 00
For Postages per quarter.....	2 00
For attendance on Judge of the County Court by his special requisition in writing—where application made by Prisoner to be allowed to Bail.....	1 00

Charges may be made on the above scale for services to be performed subsequently to this date.

I am to add that it will be requisite that, in the annual Emolument Return required by the Statute, you state the several aggregate amounts of fees which may be received by you under the items of the scale above mentioned.

I have the honor to be, Sir,
Your obedient servant,

H. BERNARD.

To County Crown Attorney.

Circular No. 5.

INSPECTOR GENERAL'S OFFICE,
Quebec, 6th March, 1863.

SIR,

The Law Officers of the Crown having had under consideration the Upper Canada Criminal Justice Act, and having decided that a more liberal interpretation ought to be given to some of its provisions.

I have the honour to inform you that all reasonable claims rendered on or after the 1st of January last, and which may justly be embraced under the following heads, will be considered as chargeable against the Consolidated Revenue, viz:—

1. All services specified in Consolidated Statutes Upper Canada, Chapter 120, when connected with the Administration of Criminal Justice.
2. All Items relating to Criminal Justice, authorized by the Legislature, and payable before 9th June, 1846, out of County Funds.
3. All Items relating to Criminal Justice for which a fee is provided in the Judge's Tariff. (4.)
4. All Services performed to, or towards, or at the request of the Government, whether a fee is provided for the same by Statute or by the Tariff, or not.

(1), (2), (3).—Not necessary since the Stamp Act, and not now allowed for.
(4.) Overruled, see circular, No. 6.

5. All Services which clearly relate to Criminal Justice, and to nothing else, such as the proceedings with regard to Insane Prisoners, or Convicts, under Consolidated Statutes Canada, Chapter 109.

6. The Expense of publishing Schedules of Summary Convictions, under Consolidated Statutes Upper Canada, Chapter 124. (1.)

7. A proportion as heretofore of Expenses for Medical Attendance, fuel, bedding, and clothing, and necessaries for the Gaol, such as soap, candles, cooking utensils and others, washing and cleaning Gaol.

Claimants for mileage will be required in every case to state the dates of the journeys, and name of places from and to which the mileage is reckoned, and in no case shall more than the actual number of miles travelled be allowed, nor a greater number of miles than the distance from the Court House to the place of service.

In cases of breach of Municipal Bye-laws, or other cases clearly not within the Statutes relating to the Administration of Criminal Justice, the Government will not be held responsible, and the Auditors will be careful to deduct all such claims from the several accounts before transmitting them to the Minister of Finance.

The expense of fuel, furniture, light, and necessaries for the Court House, of repairs to the Gaol and Court House, and of washing and cleaning Court and Jury Rooms, are not admissible as charges against the Government.

Enclosing a copy of this letter for each of the Government Auditors for the County, and for the County Treasurer.

I have the honor to be, Sir,

Your obedient servant,

WILLIAM DICKINSON,
Acting Deputy Inspector General.

The County Judge.

Circular No. 6.

INSPECTOR GENERAL'S OFFICE,

Quebec, 6th August, 1863.

SIR,

With reference to my Circular Letter of 6th March last, I have the honor to inform you that the Law Officers of the Crown having had under further consideration the third clause, viz :

"All items relating to Criminal Justice for which a fee is provided by the Judges' Tariff," together with a late Judgment on the same subject by the Court of Queen's Bench, are of opinion that a modification is necessary in its terms, and that the items chargeable therein are those only which relate

(1.) Overruled. See Circular No. 6.

to Criminal Justice, for which a fee is provided in the Consolidated Statutes of Upper Canada, chapter 120, and the Schedule thereunto annexed.

On the same principle the charge mentioned in the sixth clause, *viz* :

“The Expense of publishing Schedules of Summary Convictions,” and the fee to the Clerk of the Peace for each copy of such Schedule, should not be allowed against the Government.

The Crown Law Officers are also of opinion that *it is only such offences as may be followed by Indictment, and therefore requiring further adjudication before a Court of Record, that are to be considered as coming under the provisions of this Act*, and you will therefore be careful to disallow in the accounts of Constables and others, all claims preferred against the Government for services in cases not included under this head.

With regard to the share of the Gaol Expenditure to be paid by the County, it has been decided that a uniform system shall be pursued of dividing in the ratio of the Civil to Criminal prisoners, according to the Sheriff's Return of Prisoners (printed forms of which are enclosed), and you will please defer transmitting any Prison accounts to this Department unless accompanied by the aforesaid return.

Enclosing a copy of this letter for each of the County Auditors, and also for the Treasurer and Sheriff,

I have the honor to be, Sir,

Your Obedient Servant,

WILLIAM DICKINSON,

Acting Deputy Inspector General.

The County Judge

Circular No. 7.

INSPECTOR GENERAL'S OFFICE,

Quebec, 10th October, 1863.

SIR,

I have the honor to inform you that, for the future, Bills tendered by you for services performed by you at the Court of Quarter Sessions or Recorder's Court, will, with reference to Consolidated Statutes, Upper Canada, chapter 106, section 3, be required to be divided into three heads, *viz* :—

1. All cases of Felony :
2. All cases of Misdemeanor in which no costs have been ordered by the Court to be paid by the Defendant ;
3. All cases of Misdemeanor in which costs have been ordered to be paid by, but cannot be made out of, Defendant ;

and to such account will be attached a certificate of the Chairman or Recorder to the following effect :

"I, Recorder of the city of , or Chairman of Quarter Sessions of the County of , (as the case may be,) do certify in pursuance of Cons. Statutes U. C., cap. 106, sec. 4, that in the annexed Bill of Costs of , County Attorney for the County of , for business performed at the Recorder's Court, or Court of Quarter Sessions, (as the case may be,) for 186 , the several charges are correct, and that, in the cases of Misdemeanor therein charged for, no costs have been ordered by the Court to be paid by the Defendant, or, if ordered to be paid, cannot, as I am informed, and verily believe, be made of the Defendant;" accompanied by a Certificate, signed by yourself to the following effect :

"I, , County Crown Attorney for the County of , do certify, that in the cases of Misdemeanor herein charged for, in which costs have been ordered to be paid by the Defendant, the same cannot, after due effort, be made of the Defendant;"

Enclosing printed Blank Forms of the two Certificates,

I have the honor to be, Sir,

Your obedient servant,

WILLIAM DICKINSON,
D. I. G.

The County Crown Attorney,
County of

Note.—The same forms are required to be observed with reference to Bills for services rendered at the County Judges Criminal Courts.

Circular No. 8.

INSPECTOR GENERAL'S OFFICE,

Quebec, 26th January, 1864.

SIR,

I am desired to inform you that in order to obtain more definite information as to the cause of death in every case in which an inquest has been held, it will be required of Coroners to state in their accounts in future, the verdict of the jury under the following heads, viz. :

MURDER,
MANSLAUGHTER,
JUSTIFIABLE HOMICIDE,
SUICIDE,
ACCIDENTAL DEATH, SPECIFYING CAUSE,
INJURIES, CAUSES UNKNOWN,
FOUND DEAD,
NATURAL DEATH.

You will therefore defer any account that does not contain the necessary statement, and return it to the Coroner to be filled up as required, before presenting it to the Auditors for examination.

It is desirable also that the Constable's Accounts for services on inquests should be rendered separate from their other claims, and you will please notify them to this effect.

I have to add that in entering the Criminal Justice claims in your schedule of accounts, it is the desire of the Finance Minister that they may be arranged in the following order, viz. :

SHERIFF,
CLERK OF THE PEACE,
COUNTY ATTORNEY,
CORONERS,
CONSTABLES FOR INQUESTS,
Do FOR OTHER SERVICES,
CRIER,
GAOL SALARIES AND EXPENDITURE,
MISCELLANEOUS.

Enclosing a copy of this circular for each of the Government Auditors for the County,

I have the honor to be, Sir,

Your most obedient servant,
WILLIAM DICKINSON,
Deputy Inspector General.

The Treasurer for the County.

Circular No. 9.

INSPECTOR GENERAL'S OFFICE,
Quebec, 1st March, 1864.

SIR,

I have the honor to inform you, that in future, Constables will be required to state in every Account for Arrest or Conveyance of Prisoners, the nature of the crime upon which the Prisoners were arrested, and whether they have been tried, or are held over for trial, before the Assizes, Quarter Sessions, or Recorders' Courts.

You will, therefore, defer any accounts that may be deficient of the required information, and return them to the Constables for correction, and the Government Auditors for the County will charge against the Government the expenses of such cases only as have been, or are to be, tried on criminal charges, before the above named Courts.

I have to add, that in the Coroners' Accounts for services at Inquests, the names of places from and to which the journeys have been performed, will be required in every claim for mileage.

Enclosing a copy for each of the Government Auditors,

I have the honor to be, Sir,
Your Obedient Servant,
WILLIAM DICKINSON,
D. I. G.

The Treasurer, County of

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Circular, No. 10.

TREASURY DEPARTMENT, ONTARIO,
Toronto, December 30th, 1867.

SIR,

Hereafter, all Criminal Justice Accounts, chargeable against the Province of Ontario, must be sent to this Office for examination and payment.

Items charged for services rendered prior to the first day of July, 1867, are not chargeable to this Province, but against the late Province of Canada, and will be paid at Ottawa.

Under the item of "Prisoners discharged from Jail," the Sheriff of your County must hereafter specify for what crimes prisoners discharged were committed, as this item does not apply to prisoners sent to the Penitentiary or Reformatory Prison; nor to parties discharged who were out upon bail; nor to lunatics sent to the Lunatic Asylum; or to any parties except those committed for trial at the Assizes, Quarter Sessions or Recorders' Court. (1.)

Your attention is called to the various instructions issued from time to time from the Inspector General's Department of the Late Province of Canada, by which you will be guided until directed otherwise by this Department.

I enclose you a form to be used hereafter by Sheriffs, as a voucher for their disbursements incurred in conveying prisoners to the Penitentiary, Reformatory Prison, or to another County.

I also enclose you a number of Schedules of Accounts and Prison Returns.

The postage upon letters to this Department must be pre-paid until further notice.

I have the honor to be, Sir,

Your obedient servant,

E. B. WOOD,
Provincial Treasurer.

To the Treasurer of the
County of

Circular No. 11.

TREASURY DEPARTMENT, ONTARIO.
Toronto, February 19th, 1868.

SIR,

I have the honour to inform you that, in future, Sheriffs and Constables will not be allowed mileage for serving Criminal Subpoenas beyond the limits of their own Counties, except in special cases.

(1) See Circular No. 14.

County Crown Attorneys are requested, when they have Criminal Subpoenas to serve out of their own County, to send them to the Sheriff or the County where they are to be served. (1.)

I have the honor to be, Sir,

Your obedient servant,

E. B. WOOD,
Treasurer.

Circular No. 12.

TREASURY DEPARTMENT,
Toronto, 22nd March, 1869.

CRIMINAL JUSTICE ACCOUNTS, ONTARIO.

Extract from an Order in Council, dated the 22nd day of March 1869.

"That all accounts connected with the Administration of Criminal Justice, for the payment of which the Province of Ontario is liable, shall be rendered in duplicate, to the Treasurer of each County or Union of Counties, on or before the second Monday next after the sittings of the respective Courts of Assize and *Nisi Prius* and General Sessions of the Peace, and shall include all demands of the party rendering the same (payable as aforesaid by the Province) up to the time of such rendering, and reference to the authority for the charge.

"That each account shall be verified, by the oath of the party, that it is just and correct to the best of his knowledge and belief, and in cases where mileage is charged, there shall be an affidavit stating the places from and to which the mileage is reckoned, as well as the number of miles, and in no case shall more than the actual miles travelled be allowed, or a greater number of miles than the distance from the Court House to the place of service.

"That any two of the Board of three Auditors, in each County or Union of Counties, now appointed or who may hereafter be appointed, shall have power to audit the accounts which shall have been rendered to the Treasurer, and that such audit shall be made within ten days from the time appointed as aforesaid for the rendering of such accounts, and that every account so rendered to the Treasurer, which shall be made out and verified as aforesaid, shall be submitted to the said Board, who shall also have power to call upon the claimant for any information they may require, and that one set of the accounts, when audited, with the Report of the Auditors thereon, under their hands, shall be transmitted by him to the Treasurer of the Province, to be by him reported on for the information of His Excellency in Council.

"That a Warrant for the amount finally allowed be issued in favor of the proper Treasurer."

GEO. MATHEWS.

(1.) The Sheriff of the other County who performs these services should render his account for such services to the County Treasurer of the County, for which the services were performed.

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Circular No. 13.

TORONTO, 3rd JUNE, 1871.

SIR,

My attention has been called to a misapprehension which exists respecting the respective duties of auditors appointed by the General Sessions under the provisions of 33 Vic., cap. 8, and the Government Auditors appointed under Consolidated Statutes of Upper Canada, Cap. 120.

The duty of the Auditors appointed by the General Sessions is to audit all accounts payable by the Counties, although the Counties may be entitled to be afterwards re-couped as to some of these accounts by the Government.

The Government Auditors should audit all accounts relating to the Administration of Criminal Justice including the payments which the Counties may have made to different officers, although these accounts may as between these Officers and the Counties, have been previously audited by the Auditors appointed by the Sessions.

The cases, Corporation of Lambton *vs.* Poussett and Poussett *vs.* Corporation of Lambton, 21 U. C. R. 472 and 22 U. C. R. 80, shew that the moneys required for the payment of the different accounts rendered to the Counties, should be provided and paid in the first place by the Counties.

Your obedient servant,

J. S. MACDONALD.

Circular No. 14.

TREASURY DEPARTMENT,
Toronto, 5th December, 1872.

ADMINISTRATION OF CRIMINAL JUSTICE, ONTARIO.

Remarks on Charges Payable by the Ontario Government.

The Honourable the Treasurer submits for the consideration and guidance of the Boards of Auditors of Accounts of Expenses of Administration of Criminal Justice, in the several Counties of Ontario, and all other parties concerned, the following observations with respect to some of the items of charge in the Tariff:—

Sheriffs.

1. The Sheriff will be allowed the fee for the discharge of all prisoners from his custody, confined upon indictable offences; this will include those sent to the Penitentiary and Reformatory.

2. The Sheriff will also be allowed for each separate arraignment, although of the same person, as where the prisoner has had found against him more than one indictment.
3. The account of the Sheriff shall be verified by his oath, or that of his Deputy, that it is just and correct.
4. If charges are made for the Service of Subpœnas, the original subpoena with affidavit of service and mileage (if any) mentioning the places from and to, and sworn by the party performing the service shall be forwarded.
5. The Sheriff shall see that all Hospital Supplies for the Gaol are purchased under the supervision of the Gaol Surgeon, and are certified by him.
6. Sheriffs in conveying prisoners to the Penitentiary and Reformatory, will either take the through train on the Grand Trunk Railway, or make connection at Toronto. Expenses of stopping over night in Toronto will not in future be allowed, unless under special circumstances.
7. Quarterly Return of Prisoners shall correspond with the quarters ending with the months of March, June, September, and December.

Clerk of the Peace.

1. In all cases tried in the County Judges Criminal Court, the verdict shall be stated, and if the prisoner elect not to be tried at such Court, the fact shall be mentioned.
2. In all cases of misdemeanor, the account shall state whether or not costs have been ordered to be paid.

County Attorney.

1. In future the County Attorney will be allowed the same fee, (\$2.00), for receiving and examining Informations and drawing Indictments against prisoners tried at the County Judges Criminal Court, as at the Sessions. If the County Attorney is also Clerk of the Peace, this fee shall be in addition to the fee of \$2.00 allowed the Clerk of the Peace by the C. J. C. C. Tariff for "attendance at Court making record, &c., &c."
2. The attention of the County Attorney is called to the Circular dated 10th October, 1863, and the Certificate therein required to be attached to the account must not be overlooked. The absence of it will be a sufficient ground for deferring the account.
3. Criminal Subpoenas for service out of the County, to be sent to the Sheriff of the County where they are to be served.
4. Those for service within the County to be delivered to the Sheriff, the mileage and fees on which will be taxed to him alone.
5. In all cases of misdemeanor, the account shall state whether or not the costs have been ordered to be paid.

Coroners.

1. Shall attach to their accounts a declaration in accordance with the terms of the first clause of the "Act respecting Inquests by Coroners," and the better to do so should proceed on a formal information, which is also to be filed with the Inquisition, and the Certificate of the County Attorney that Inquisition and papers have been filed with him, must also be attached to the accounts.
2. Shall also state the verdict of the Jury under the following heads: MURDER, MANSLAUGHTER, JUSTIFIABLE HOMICIDE, SUICIDE, ACCIDENTAL DEATH (specifying cause), INJURIES (cause unknown), FOUND DEAD, NATURAL DEATH.
3. When mileage is claimed the places from and to shall be mentioned.

Coroners' Constables.

1. Accounts in connection with Inquests shall be sent in separately, and have the Certificate of the Coroner attached that services were performed.
2. When mileage is claimed the places from and to shall be mentioned.

Constables.

1. Shall have attached to their accounts the Magistrates' Certificate that services were performed.
2. When mileage is claimed the places from and to shall be mentioned.
3. Assistant Constables will forward their own accounts, certified by the Magistrate that the charges are correct, and that assistance was necessary.
4. The accounts must also show for what crimes the prisoner was arrested, and whether or not he has been committed for trial or bail has been accepted.

Crier.

1. Crier's services at the County Judges Criminal Court are considered unnecessary, and will not be allowed.

County Treasurer.

1. In returning your Criminal Justice Claims upon your Schedule of Accounts, the following order shall be observed, viz:—
Sheriff, Clerk of the Peace, County Attorney, Coroners, Constables for Inquests, Constables for other Services, Crier, Gaol Salaries and

Expenditures, Miscellaneous, and the Schedule should be signed by the County Treasurer.

2. Not less than two of the Auditors appointed by the Government should audit the Accounts.

Miscellaneous.

1. All accounts shall have the proper date placed opposite the respective charges, and shall be verified by the oath of the party making the same.

2. Accounts shall be rendered in duplicate to the Treasurer of each County or union of Counties quarterly, and shall correspond as nearly as possible with the quarters ending with the months of March, June, September, and December, care being taken that one quarter's accounts does not run into another, and such accounts shall include all demands of the party rendering the same, up to the time of such rendering.

3. All accounts for Gaol Supplies and Expenditures, except supplies of wood, shall conform strictly with the last preceding rule.

4. Postage on all matters connected with this Department should be prepaid.

ADAM CROOKS,
Treasurer.

Circular No. 15.

TREASURY DEPARTMENT, ONTARIO,

Toronto, 5th December, 1872.

SIR,

In future Sheriffs will be paid by this Province for their attendance at County Court Sittings, held under chapter 7 of the Ontario Statutes of 1869, at the same rate per diem as for attendance at the General Sessions of the Peace.

The attendance of necessary constables at such Courts will also be allowed. (1)

I have the honor to be, Sir,

Your obedient servant,

ADAM CROOKS.
Treasurer.

To the Sheriff of the County of

(1.) The Sheriff's account for services at this Court, should be sent to the Treasury Department direct, verified by affidavit, and accompanied by the Sheriff's certified list of Constables. It is not Criminal Justice, and should not be charged in the Criminal Justice accounts.

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Circular No. 16.

TREASURY DEPARTMENT,
Toronto, 12th December, 1872.

FEES TO CORONERS' CONSTABLES.

The Fee of \$2.00 shall cover all services of the Constable for summoning the Jury, Witnesses, and attending the Inquest for the first day. If any number of miles has to be travelled to summon witnesses, mileage will be allowed in addition. If the Inquest is adjourned, in addition to the fee of \$1.00 for every other day, he will be allowed the services of summons upon witnesses served upon that day, together with mileage as above.

ADAM CROOKS,
Treasurer.

NOTE.—See the new Tariff "Constables."

Circular No. 17.

TREASURY DEPARTMENT, ONTARIO,
Toronto, 17th March, 1873.

SIR,

I have the honor to request that when certifying that Coroner's Inquisitions and papers connected with an Inquest have been filed with you, you will be kind enough to state whether or not the "formal information," mentioned in the circular dated 5th December, 1872, "Coroners," was also filed.

I have the honor to be, Sir,

Your obedient servant,

ADAM CROOKS,
Treasurer.

To , County Attorney.

Circular No. 18.

TREASURY DEPARTMENT, ONTARIO,
Toronto, 24th April, 1873.

SIR,

In future the Certificate granted by you to the Coroner, that the inquisition, formal information and papers in connection with the

holding of an inquest, have been filed with you, should also state whether or not it appears from the information and papers filed that there was sufficient grounds to warrant the holding of an inquest within the meaning of the "Act respecting Inquests by Coroners."

For this service you will include a fee of one dollar in your account.

I have the honor to be,

Sir,

Your obedient Servant,

ADAM CROOKS,

Treasurer.

To

County Attorney, County of

Circular No. 19.

Remarks on Charges payable by the Ontario Government.

The Honourable the Treasurer submits for the consideration and guidance of the Boards of Auditors of Accounts of Expenses of Administration of Criminal Justice in the several Counties of Ontario, and all other parties concerned, the following observations in respect to some of the items of Charges in the Tariff.

Sheriff.

1. "Bringing up each prisoner for arraignment, trial and sentence—in all for each prisoner, whether convicted or acquitted."

Does not apply to a party who is under bail to appear for his trial.

2. "For every prisoner discharged from Gaol, having been committed by Warrant for trial at the Assizes, &c."

Does not apply to parties discharged, who were out on bail, nor to lunatics sent to the Lunatic Asylum, but may apply to parties discharged "on bail." The Sheriff will be entitled to one fee for discharging a prisoner from Gaol, not for discharging upon each indictment.

Clerk of the Peace.

FEES UNDER TARIFF, 33 VIC., CAP. 10.

"Certified copies of Sentences sent with prisoners to the 'Penitentiary.' The prisoner having been tried at the C. J. C. C.

No special remuneration is provided for this service at this Court, and therefore cannot be allowed.

"Warrant to bring up &c., "for each prisoner." "Warrant of Remand, &c."

In case the prisoner is in Gaol on several charges, the Sheriff should include all charges in his notice to the Judge. The prisoner then, if possible, should be tried on all charges on the same day. In cases where this is impossible, several Warrants to bring up prisoner for trial, &c., may be required, but such cases should be exceptional.

ADAM CROOKS,
Treasurer.

TREASURY DEPARTMENT,
2nd September, 1873.

Circular No. 20.

TREASURY DEPARTMENT,
Toronto, 14th March, 1874.

ADMINISTRATION OF CRIMINAL JUSTICE, ONTARIO.

Remarks on the Payment of Accounts of Officials for Services in connection with the Administration of Criminal Justice.

The Honourable the Treasurer submits for the consideration and guidance of the Boards of Auditors of Accounts of Expenses of Administration of Criminal Justice in the several Counties of Ontario, and all other parties concerned, the following observations:—

The Law Reform Act of 1868, 32 Vic., cap. 6, sub-secs. 2 and 3 of sec. 9, and amendments thereof, 33 Vic., cap. 8, sec. 2, and 34 Vic., cap. 29, secs. 1 and 2, requires that all accounts and demands preferred against the County, the approving and auditing whereof heretofore belonged to the Quarter Sessions, shall henceforth be audited and approved by a Board of Audit, composed of the Chairman of the Court of General Sessions of the Peace, and two other persons who shall be appointed annually for the purpose by the County Council at their first meeting in each year, not more than one of such persons being a member for the time being of such County Council; and that such

accounts and demands shall henceforth be delivered to the Clerks of the Peace, on or before the first day of the months of January, April, July and October in every year, and shall be taken into consideration by the said Board between the first and fifteenth of the said months, and disposed of as soon as practicable.

The right of the County Treasurer to refuse payment to an official of an account for services in connection with the Administration of Criminal Justice, after it has been audited by the Board of Audit above mentioned, has been tested in the following cases:—

CORPORATION OF LAMBTON v. POUSSETT, 21 U. C. R. 472.
POUSSET v. CORPORATION OF LAMBTON, 22 U. C. R., 80.

In both of these cases it was held that the official should make out his account against the County, and after having been audited by the Board of Audit above mentioned, he was entitled to payment of the amount passed by the Board from the County Treasurer out of County Funds.

In re THE SHERIFF OF THE COUNTY OF LINCOLN AND THE CORPORATION OF THE COUNTY OF LINCOLN, 34 U. C. R. 1, it was held as follows:—

“The accounts are to be delivered to the Clerk of the Peace on or before the first days of January, April, July and October of each year. They are to be audited by the Board of Audit between the first and fifteenth of these respective months.”

The question to be decided was,

“Whether the Treasurer was right in refusing to pay the Sheriff's account audited and allowed by the County Board of Audit, until it has also been allowed and audited and the amount of it paid over by the Provincial Government to the Treasurer, and we are of opinion he was not.”

“The Treasurer of the county is without further authority to pay such an account as the one in question, unless he can shew that the items in question were so inadmissible and illegal that if they were paid the money could be recovered again from the person receiving it.

“The auditing and accounting with the Government is a matter alone between the Government and the County.

“The auditing of the County Board is a matter between the Claimant and the County Treasurer.

“We are of opinion also that as the County Treasurer is to pay such accounts as are in question, without further than the County Officials' authority, he was not justified in postponing payment of the Sheriff's account until it was allowed and paid by the Government.”

ADAM CROOKS,
Treasurer.

to the Clerks of
of January, April,
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said months, and

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Administration of
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C. R. 472.

C. R., 80.

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Government."

OKS,
Treasurer.

PRISON DIETARIES.

The following scale of diet prescribed by the regulations, and which is now in general use, was framed with a view to rendering Gaol fare a material element of prison discipline, and while it is sufficiently *hard* to effect that desirable result, it will not be denied by those competent to judge of the matter, that an average weekly allowance of 350 ounces of solid food is sufficient for the health and nourishment of men and women confined in Gaol with little exercise, and still less hard labour to perform, of which no better proof can be given than that nearly all prisoners who enter the Gaols, in ordinary health, and remain for a month and upwards, are discharged with a gain of weight.

The prison dietaries are divided into four classes, as follow:—

CLASS 1.

Convicted prisoners confined for any time not exceeding 14 days.

Males.

Females.

<i>Breakfast.</i> —1 pint of oatmeal gruel, 6 oz. of bread.	.....	Same as Males.
<i>Dinner.</i> —12 oz. of bread.	.....	10 oz. bread.
<i>Supper.</i> —Same as breakfast.	.....	As breakfast.

All prisoners to have in addition 1 pint of soup at dinner *twice* per week. Those at hard labour to have one pint of soup at dinner *four* times per week.

CLASS 2.

Convicted prisoners not employed at hard labour for periods exceeding 14 days.

Males.

Females.

<i>Breakfast.</i> { 1 pint oatmeal gruel, 8 oz. bread.	.....	{ 1 pint gruel 6 oz. bread.
<i>Dinner.</i> { 2 days. 1 pint of soup, 8 oz. of bread.	.....	{ 1 pint of soup, 6 oz. of bread.
<i>Dinner.</i> { 2 days. 5 oz. cooked meat without bone, 8 oz. bread, $\frac{1}{2}$ lb. of potatoes.	.....	{ 4 oz. cooked meat, without bone, 6 oz. bread, $\frac{1}{2}$ lb. potatoes.
<i>Dinner.</i> { 3 days. 8 oz. bread, 1 lb. of potatoes, or a pint of gruel when potatoes can not be had.	.....	{ 6 oz. bread, 1 lb. of potatoes, or 1 pint of gruel.
<i>Supper.</i> { Same as breakfast.	.....	As breakfast.

CLASS 3.

Convicted prisoners employed at hard labor for any time exceeding 14 days, but not more than 6 weeks.

Males.

Females.

<i>Breakfast.</i> { 1 pint oatmeal gruel, 8 oz. of bread.	.....	{ 1 pint oatmeal gruel, 6 oz. bread.
{ 2 days. { 1 pint soup, 8 oz. of bread.	.....	{ 1 pint of soup, 8 oz. bread.
{ 3 days. { 6 oz. of cooked meat without bone, 8 oz. of bread, $\frac{1}{2}$ lb. of potatoes.	.....	{ 5 oz. cooked meat without bone, 6 oz. of bread, $\frac{1}{2}$ lb. of potatoes.
{ 2 days. { 8 oz. of bread, 1 lb. of potatoes, or a pint of gruel, when potatoes cannot be had.	.....	{ 6 oz. of bread, 1 lb. potatoes, or one pint of gruel when potatoes cannot be had.
<i>Supper.</i> { Same as breakfast.	.....	As breakfast.

CLASS 4.

Convicted prisoners employed at hard labor, for any period exceeding 6 weeks.

	Males.	Females.
<i>Breakfast.</i>	—1 pint oatmeal gruel, 8 oz. of bread.	1 pint gruel, 6 oz. of bread.
2 days.	{ 1 pint of soup, 8 oz. of bread.	{ 1 pint of soup, 6 oz. of bread.
4 days.	{ 6 oz. of cooked meat without bone, 8 oz. of bread, $\frac{1}{2}$ lb. of potatoes.	{ 5 oz. cooked meat without bone, 6 oz. of bread, $\frac{1}{2}$ lb. of potatoes.
1 day.	{ 8 oz. of bread, 1 lb. of potatoes, or 1 pint of gruel, when potatoes cannot be had.	{ 6 oz. of bread, 1 lb. of potatoes or 1 pint of gruel when potatoes cannot be had.
<i>Supper.</i>	Same as breakfast,	{ As breakfast.

Witnesses for the Crown and debtors to be placed on same diet as class 3.

Unconvicted prisoners on same diet as class 2, while not working at hard labour:—If they voluntarily work at hard labour, they shall be placed on same diet as class 4.

GENERAL RULES RESPECTING THE DIETARIES.

All prisoners shall be allowed at their meals as much good water and salt as they choose.

The gruel should be made with 2 oz. of oatmeal to a pint of water:—Indian meal in the same quantities may be used instead of oatmeal.

Milk may be used, where convenient, instead of gruel. (1.)

A beverage made with roasted pease or barley, may also be used twice or thrice a week instead of gruel at breakfast:—But when this beverage is used, 2 oz. more of bread should be added.

Cocoa made with $1\frac{1}{2}$ oz. of nibs or beans to a pint of water, may be advantageously used once or twice a week instead of gruel at breakfast, especially during the winter.

The soup should contain 3 oz. of cooked meat, without bone; the usual quantities of vegetables, with pepper and salt.

When pork is given at dinner, 1 oz. less than the quantity of meat above prescribed should be given:—fish may be substituted for meat once or twice a week, but 2 oz. of fish should be allowed over the allowance of meat.

The oatmeal or Indian meal, and the coffee or cocoa may be sweetened with molasses.

Carrots and parsnips may be occasionally substituted for potatoes.

Boys under 14 years of age should have the same allowance of food as the women.

In case of sickness the regulation of the diet of the prisoners shall be left exclusively in the hands of the medical officer of the prison.

(1.) When gruel is used milk will not be allowed.

GAOL SALARIES AND EXPENDITURES.

The amount of Gaol Salaries and Expenditures payable by the Government is the proportion which the prisoners confined upon indictable offences bear to the whole.

The same proportion of bedding, clothing and necessaries for the Gaol, such as soap, candles, cooking utensils and cleaning Gaol, is payable by the Government.

Repairs to the Gaol or Court House, washing and cleaning Court and Jury Rooms, fuel, furniture, light and necessaries for the Court House, are not chargeable to the Government. See circular No. 1.

The accounts for fuel should be forwarded to the Treasury Department with the December quarter's accounts, and should embrace only the actual quantity of fuel consumed in the Gaol for the year then closed. The amount payable by the Government is the proportion above mentioned, of all the prisoners confined during the year.

A scaffold, handcuffs and chains to confine unruly or dangerous inmates of the Gaol, are part of the furnishing of the Gaol, and as such must be provided and paid for by the County. Mr. Justice Wilson, 8th January, 1874.

All Hospital supplies must be certified by the Gaol Surgeon that they were used by, and were necessary for the prisoners in Hospital.

All accounts for supplies furnished the Gaol must be certified by the Gaoler or Sheriff. They must also be verified by the oath of the party rendering the same, and should be rendered quarterly, ending with the months of March, June, September and December, and each quarter's expenditure should be kept separate and distinct. For oath. See Form B. in Schedule.

When any change is made in the salary of a Gaol Official, notice thereof should be communicated to the Provincial Treasurer.

Milk as diet is not to be used for the prisoners, where gruel can be had. By order of the Prison Inspector.

Where prisoners are confined in Gaol with hard labour, the washing of the Gaol and that of the prisoners therein should be performed by them instead of employing and paying an outsider for the service. By order of the Prison Inspector.

MISCELLANEOUS.

*Items marked thus * are payable by the Government.*

SURVEYORS.

* Preparing plans, and attending to give evidence thereon, will be allowed the usual professional charges.

Attorney-General, September 10, 1872.

PHYSICIAN.

* Inspecting a Gaol to discover the cause of effluvia, may charge the Government and not the County, if the service was rendered on the order or requisition of the County Judge.

Attorney-General, 4th September, 1865.

STATE PRISONERS.

The fees for services in connection with State Prisoners, such as parties charged with Treason, Fenianism, Violation of Post Office, Public Works or Excise Laws, should be paid by the Dominion Government.

Attorney-General, 22nd February, 1869.

SCHEDULE.**Form A.**

I, , County Crown Attorney
 for the County of do certify, that in the cases
 of misdemeanour herein charged for, in which costs have been ordered
 to be paid by the Defendant, the same cannot, after due effort, be
 made of the Defendant.

*County Crown Attorney,
 County of*

I, , Chairman of the General
 Sessions of the Peace, or Judge of the County Judges Criminal Court
 (as the case may be), do certify, in pursuance of Consolidated Statutes,
 U.C., Cap. 106, sec. 4, that the annexed Bill of Costs of

County Attorney for the County of for business performed at the General
 Sessions of the Peace, or County Judges Criminal Court (as the case
 may be), as therein set forth, the several charges are correct, and that
 in the cases of misdemeanor therein charged for, no Costs have been
 ordered by the Court to be paid by the Defendant, or if ordered to be
 paid, cannot, as I am informed, and verily believe, be made of the
 Defendant.

*Chairman of the General Sessions of the Peace,
 or Judge of the County Judges Criminal
 Court, County of*

DATED this day of 187 .

Form B.

County of } I of the
 To wit: } of in the County
Constable,
make oath and say,

1. That the above (or within) account for services performed by me is true in every particular.

2. That I have not been paid any portion of the charges, nor has any other person received payment for me or on my behalf, nor has any other person or persons to my knowledge rendered a similar account for the same services.
3. That to perform such services, I necessarily travelled from to being miles.

Sworn before me at
in the County of _____ this
day of _____ A.D. 187 .
J. P.

Signature of Constable.

Form C.

I do hereby certify that the above (or within) services were performed by Constable under my directions, and that the prisoner was committed to Gaol for trial (or Bail was accepted for his appearance for trial as the case may be).

JOHN ANDERSON,
Esq.

Form D.

I do hereby certify that the above (or within) services were performed by Constable _____ under my directions.

ADAM BEDE,
Coroner

Form E.

JOHN BROWN.
F. P.

Isolated Risk and Farmers' Fire Insurance Co.

**CAPITAL, \$600,000 00.
Deposited with Government, \$100,904 00.**

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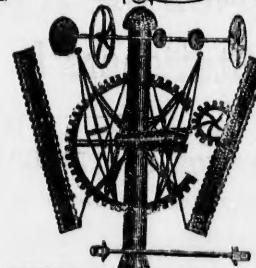
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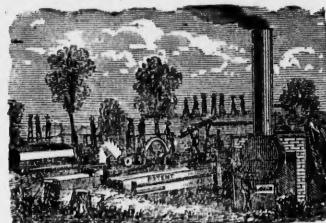


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SEE OPPOSITE PAGE.

Portable Saw-Mills A SPECIALITY.



SPRINGHILL, N. S., Nov. 8, 1873.

MESSRS. C. H. WATEROUS & CO., BRANTFORD.

Gentlemen.—Your millwright, Mr. Thomas Beers, has finished our 20 h. p. patent portable direct action Saw-mill, and put it in operation according to terms of contract, and everything works satisfactorily. We tried the mill on six logs and they were sawn in fifty (50) minutes, making 1,215 feet of such boards. We use a fifty-two inch inserted tooth saw.

Yours truly,
THOMPSON & BROS.
Oxford, P. O.

The above mill is one of our 20 horse-power patent Portable Direct Action mills, using a 52 inch SAW. Price of above mill, f.o.b., with solid saw, put in operation, and left running to purchaser's satisfaction, \$2,000.

SHOGOMOC, N. B.,
18 miles from St. Andrews, on Woodstock Railway.
Sept. 22nd, 1873.

MESSRS. C. H. WATEROUS & CO., BRANTFORD.

Gentlemen.—Your millwright, Mr. John Lyle, has finished our 25 horse-power mill and put it in operation according to terms of contract, and everything works very satisfactorily. We have sawn one thousand feet (3) inch deal in FOURTEEN MINUTES, and have sawn one thousand and ten feet (1,010) of one inch boards in TWENTY-THREE MINUTES.

Yours truly,
JOHN MARKS.

The above is one of our 25 horse-power Patent Portable Direct Action Saw-mills, running a 60 inch inserted tooth saw. It is the most EFFICIENT, ECONOMICAL, and DURABLE MILL built, and will cut lumber cheaper per thousand than heavy gang or belted mills. We are turning out one a week of these Portable Mills.

Our Direct Action Portable Mills stand unequalled for simplicity, efficiency, durability and economy. We erect all our mills, and guarantee satisfaction. We have been building them for over sixteen years, and would ask intending purchasers to inspect any one of the hundreds now in operation before purchasing.



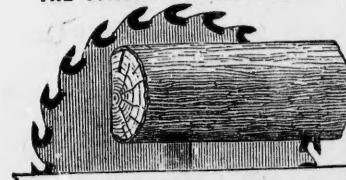
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Firstbrook & Son, Stayner, Ont.; Wesley Sutton, Fingal, Ont.; W. & S. B. Anglin, Kingston, Ont.; R. S. Wood, Oakville; Charles Anderson, Cainsville, Ont.; E. C. R. Davies, Henfryn P. O., Ont.; T. & R. Owen, Stonefield, Ont.; Spies & Awrey, Courtland, Ont.; William Way, Wilfrid, Ont.

500 prints given with each saw, which should cut 500,000 feet of timber.

When Saw once rounded or pointed it always remains so, and requires no experienced sawer to run it: when Teeth get dull they can be sharpened from one to three times.

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The Cheapest Inserted Tooth Saw in Existence.
60 in. Saw, mly \$190, less 10 per cent. cash.

Extra Teeth 50c. each.

We give the Patent Adjustable Saw Swage with this Saw

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Waterous Engine Works Co., Brantford, Ont.